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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL ROBOT
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Lead Case No: 3:21-CV-03825-AMO-LB

**PLAINTIFFS' STATEMENT
OF RECENT DECISION**

Judge: Hon. Araceli Martínez-Olguín

Pursuant to Local Civil Rule 7-3(d)(2), Plaintiffs Larkin Community Hospital, Franciscan Alliance, Inc., and King County Public Hospital District No. 1 DBA Valley Medical Center (collectively, “Plaintiffs”) respectfully submit the attached recently issued opinion, *In re: Generic Pharmaceuticals Pricing Antitrust Litigation*, No. 16-md-2724 (E.D. Pa. Dec. 3, 2024), in connection with Plaintiffs’ pending Motion for Class Certification (Under Seal Dkt. 268-1, Public Dkt. 267), Defendant Intuitive Surgical Inc.’s opposition (Under Seal Dkt. 289-1, Public Dkt. 288), and Plaintiffs’ Reply in Support of Class Certification (Under Seal Dkt. 297-1, Public Dkt. 296).

Local Civil Rule 7-3(d)(2) provides that, “[b]efore the noticed hearing date, counsel may bring to the Court’s attention a relevant judicial opinion published after the date the opposition or reply was filed.” L. Civ. R. 7-3(d)(2). The *Generics Pharmaceuticals* court’s recent opinion excluding the opinions of Dr. James Hughes (pages 18-29) is “a relevant judicial opinion” for the arguments addressed at, *inter alia*, pages 2-3 and footnote 1 of Plaintiffs’ Reply in Support of Class Certification (Under Seal Dkt. 297-1, Public Dkt. 296).

Dated: December 5, 2024

Respectfully submitted,

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